

## **REQUEST FOR PLANNING COMMISSION REVIEW**

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**Meeting Date:** April 16, 2025

**Subject:** Home Occupations

**Attachments:** Proposed Code Language

**Presented by:** Andrew Hattori, CED Director

**Approved For Agenda By:** Andrew Hattori, CED Director

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### **Background:**

In late 2019 and early 2020 the City of Toppenish made efforts to create a section of code within TMC 17.56 related to Special Property Uses to allow home (business) occupations provided the proposed business operations met specific criteria. However, while this code was created, the provisions included within the code and its location conflict and the code has not been adhered to or implemented.

### **Discussion:**

Currently, there are no known home occupations that have been properly permitted in accordance to TMC 17.56, this is likely due to implementation issues, confusing code language, and a lack of provided education materials to the public. Staff now seeks to clarify these code requirements and provide a clear path that potential home occupations would follow to legally establish themselves within Toppenish.

A summary of proposed code modifications follows:

- Repeal TMC section 17.56.050.
  - o TMC chapter 17.56 is for Special Property Uses that are heard by the Hearing Examiner, the intent of this code was to be administrative and should be removed entirely and placed elsewhere.
- Creation of TMC chapter 17.54.
  - o Creating a separate chapter for the home occupations provides ease when searching for this code and increased clarity to potential applicants.
- Remove conflicting language related to approvals and notices.

It is staffs understanding that there is a considerable amount of home occupations that have been established within Toppenish both before the initial creation of TMC 17.56.050 and after. It is not the intent of staff to punish these businesses by this modification in code, in fact, it is to assist with bringing the businesses into conformance as they are all technically operating without following the established code provisions.

Should this code amendment inevitably receive recommendation for approval, and City Council approval, extensive education opportunities for this amendment shall be implemented, including but not limited to:

- Public building postings.
- Social media postings.
- Pamphlets and fliers.
- Open house events to assist existing and potential business owners.

Staff is seeking guidance on the approval criteria and proposed amendments. Following such guidance the proposed amendment will be brought back to Planning Commission for further considerations.

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**Recommendation:** Not Applicable